

STATE OF SOUTH CAROLINA
COUNTY OF RICHLAND

DAVID VOROS and ALEXANDRA
STASKO,
Plaintiffs,

vs.

ALLISON DUNAVANT,
Defendants.

IN THE COURT OF COMMON PLEAS
FIFTH JUDICIAL CIRCUIT

Civil Action No.: 2022-CP-40-01390

MOTION TO QUASH SUBPOENA

Mandy Matney, a non-party, by and through undersigned counsel, moves to quash the subpoena issued by Plaintiffs' counsel, William R. Padgett, Esquire, on May 27, 2025, for Matney's deposition scheduled for June 26, 2025, pursuant to **SCRCP Rule 45(c)(3)**. Ms. Matney was employed as a reporter by FitsNews at the time of the relevant article and is protected by South Carolina's reporter's privilege. The grounds for this Motion are as follows:

1. **Reporter's Privilege (S.C. Code Ann. § 19-11-100):** Movant, Ms. Matney, was a journalist under the employ of FitNews at the time of the article was published, and the information or documents sought by the attached amended notice of deposition (Exhibit A) was obtained in the process of gathering or dissemination of news and is privileged under S.C. Code Ann. § 19-11-100 (Supp. 2001), as well as protections under the First Amendment of the U.S. Constitution and Article I, § 2 of the South Carolina State Constitution.

Under these laws, no reporter may be compelled to disclose any information obtained in the course of newsgathering unless the party seeking the information proves

- (1) it is highly material and relevant;
- (2) it is critical or necessary to the maintenance of the claim;
- (3) it is not obtainable from alternative sources.

Plaintiffs have made no such showing.

2. **Undue Burden (SCRCP Rule 45(c)(3)(A)(iv)):** As a non-party dismissed as a defendant in 2024, Ms. Matney faces undue burden from the deposition, which imposes time, cost,

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and emotional stress. The notice's vague scope suggests a fishing expedition, unwarranted given her dismissal.

3. **Lack of Relevance (SCRCP Rule 26(b)(1)):** The subpoena seeks irrelevant testimony, as Ms. Matney's dismissal indicates her knowledge is not material to current claims. The notice's lack of specific topics violates Rule 26(b)(1)'s proportionality requirement.
4. **Non-Party Residence (SCRCP Rule 45(c)(3)(A)(ii)):** Ms. Matney resides in Bluffton, SC, over 100 miles from Columbia. Despite the Zoom format, her non-party status and dismissal amplify the subpoena's burden absent substantial need, which Plaintiffs have not shown as required by SCRCP Rule 45(c)(3)(B)(iii).

WHEREFORE, Ms. Matney requests that the Court enter an Order to quash the subpoena for her deposition in its entirety and grant such other relief as deemed just.

June 20, 2025
Bluffton, SC

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